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Pro se

FILED

AUG - 3 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND
f

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA**

LIYONG LI and XIAOMING WANG;

Plaintiffs

vs.

N/C
MICHAEL, CHERTOFF Secretary of the
Department of Homeland Security;
EMILIO T. GONZALEZ, Director of U.S.
Citizenship and Immigration Services;
ROBERT S. MUELLER III, Director of
Federal Bureau of Investigation;
CHRISTINA POULOS, Regional Director of
California Service Center, U. S. Citizenship
And Immigration Services;
ALBERTO R. GONZALES, United States
Attorney General

Defendants

) Case No. C07-03653 SBA;
)
)
)

) **PETITION FOR HEARING ON**
) **NATURALIZATION APPLICATION**
) **UNDER 8 U.S.C. §1447(b)**

Certificate
of
Service

DATED: AUGUST 02, 2007

E-filing

Liyong Li, Ph.D.
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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA

ADR

Liyong Li;
Xiaoming Wang;

Plaintiffs

vs.

Michael Chertoff, Secretary of the
Department of Homeland Security;
Emilio T. Gonzalez, Director of U.S.
Citizenship and Immigration Services;
Robert S. Mueller, III, Director of Federal
Bureau of Investigation;
Christina Poulos, Regional Director of
California Service Center, U. S. Citizenship
And Immigration Services;
Alberto R. Gonzales, United States
Attorney General

Defendants

) Case No.

)

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)

) PETITION FOR HEARING ON

) NATURALIZATION APPLICATION

) UNDER 8 U.S.C. §1447(b)

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NOW COME the Plaintiffs, Liyong Li and Xiaoming Wang, in the above-captioned matter, and hereby states as follows:


1. This action is brought for a hearing to decide Plaintiffs' naturalization applications due to Defendants' failure to adjudicate the applications within 120 days after the first examination in violation of the Immigration and Nationality Act ("INA") § 336(b) and 8 U.S.C. §1447(b).

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	July 23, 2007
Name of SERVER Wei Liu	TITLE	Scientist
Check one box below to indicate appropriate method of service		
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> Served Personally upon the Defendant. Place where served: </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div> <input type="checkbox"/> Returned unexecuted: </div> <div> <input checked="" type="checkbox"/> Other (specify): <i>served by sending a certified mail on 7/17/2007</i> <i>US attorney office</i> <i>3405. 1301 Clay St.</i> <i>Oakland, CA 94612-5212</i> <div style="margin-left: 100px;"> <i>Tracking #</i> <i>7007-0710-0004-6102</i> <i>- 0304</i> </div> </div> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	\$4.13	\$4.13
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on July 23, 2007 <div style="text-align: center; margin-top: 5px;"><small>Date</small></div>	<div style="text-align: center;"> <small>Signature of Server</small> <div style="margin-top: 10px;"> Wei Liu 6001 Bollinger Canyon Rd, D1045 SAN RAMON, CA 94583 </div> </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action

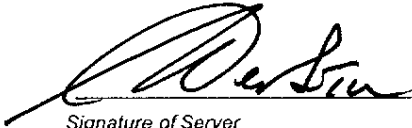
RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE <u>July 23, 2007</u>
Name of SERVER <u>Wei Lin</u>		TITLE <u>Scientist</u>
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>Served by sending a certified mail to the following</u> <u>address: Michael Chertoff on July 17, 2007</u> <u>Secretary of the DHS</u> <u>Office of the General Counsel</u> <u>U.S. Dept of Homeland Security</u> <u>Washington, D.C. 20528</u> <u>Tracking# 7007-070-0004-61015072</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	\$ 4.13	\$ 4.13
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>July 23, 2007</u> <div style="text-align: center; margin-top: 10px;">Date</div>	<div style="text-align: center;">  Signature of Server </div> <div style="text-align: center; margin-top: 10px;"> <u>6001 Bollinger CYN Rd, D1045</u> Address of Server <u>San Ramon, CA 94583</u> </div>	
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE <u>July 23, 2007</u>
Name of SERVER <u>Wei Liu</u>		TITLE <u>Scientist</u>
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>Served by sending a certified mail to the following address:</u> <u>by USPS on July 17, 2007</u> <u>Alberto Gonzales</u> <u>US Dept of Justice</u> <u>950 Pennsylvania Ave, NW</u> <u>Washington D.C. 20530-0001</u> <u>Tracking# 7007-07100004-6101-5089</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	\$4.13	\$4.13
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<u>July 23, 2007</u> Date	<u>[Signature]</u> Signature of Server <u>6001 Bollinger Ln Rd, D1045</u> Address of Server <u>San Ramon, CA 94583</u>

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action


RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE <u>July 23, 2007</u>
Name of SERVER <u>Wei Liu</u>	TITLE <u>Scientist</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>Served by sending a certified mail on July 17, 2007</u> <u>Emilio T. Gonzalez</u> <u>20 Massachusetts Ave, N.W.</u> <u>Director of USCIS</u> <u>Room 4025</u> <u>Office of the Chief Counsel</u> <u>Washington D.C. 20536</u> <u>USCIS</u> <u>Tracking # 7007-0710-0004-6101</u> <u>- 5096</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	<u>\$4.13</u>	<u>\$4.13</u>
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>July 23, 2007</u>	<u></u> Signature of Server	
Date	<u>Wei Liu</u> Address <u>6001 Bollinger Canyon Rd, D1045</u> <u>SAN RAMON, CA 94583</u>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	July 23, 2007
Name of SERVER Wei Liu	TITLE	Scientist
Check one box below to indicate appropriate method of service		
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> Served Personally upon the Defendant. Place where served: </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div> <input type="checkbox"/> Returned unexecuted: </div> <div> <input checked="" type="checkbox"/> Other (specify): Served by sending a certified mail to the recipient on 7/17/07 Christina Poulos Director of California Service Center USFIS 2400 Avila Rd, 2d Floor Rm 230 USCIS, Laguna Niguel, CA 92656 </div> </div> <div style="text-align: right; margin-top: -20px;"> Tracking # 7007 - 0710 - 0004 - 6101 - 5102 </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	\$4.13	\$4.13
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on	July 23, 2007 <div style="text-align: center; font-size: 0.8em;">Date</div>	<div style="text-align: center;"> <div style="text-align: center; font-size: 0.8em;">Signature of Server</div> </div> <div style="text-align: center; margin-top: 10px;"> Wei Liu <div style="text-align: center; font-size: 0.8em;">Address of Server</div> </div>
		<div style="text-align: center;"> 6001 Bollinger Canyon Rd, D1045 SAN RAMON, CA 94583 </div>
<small>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</small>		

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	July 23, 2007
Name of SERVER <i>Wei Liu</i>	TITLE	Scientist
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <i>Served by sending a certified mail on 7/17/2007</i> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <i>Robert S. Mueller, III</i> <i>Director of FBI</i> <i>J. Edgar Hoover Building</i> <i>935 Pennsylvania Ave, NW Washington D.C. 20535-0001</i> </div> <div style="width: 35%;"> <i>Tracking #</i> <i>7007-0710-0004-614-5065</i> </div> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	\$4.13	\$4.13
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<div style="text-align: center;"> <i>July 23, 2007</i> Date </div>	<div style="text-align: center;">  Signature of Server Wei Liu 6001 Bollinger Canyon Rd, D1045 SAN RAMON, CA 94583 </div>

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure



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U.S. MARSHALS SERVICE

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U.S. District Court
Northern District of California
1301 Clay Street, Suite 400S
Oakland, CA 94612-5212

Web Liu

D1045

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San Ramon, CA 94583